

STATE OF DELAWARE

PUBLIC EMPLOYMENT RELATIONS BOARD

AFSCME COUNCIL 81, LOCAL 3911,	:	
	:	
Charging Party,	:	
	:	<u>ULP No. 07-08-589</u>
v.	:	
	:	
NEW CASTLE COUNTY, DELAWARE,	:	
	:	
Respondent.	:	

ORDER OF DISMISSAL

1. The American Federation of State, County and Municipal Employees, AFL-CIO, Council 81 (“AFSCME”), is an employee organization which admits to membership employees of New Castle County, Delaware, for and has as a purpose the representation of those employees for purposes of collective bargaining pursuant to section 1302(i) of the Public Employment Relations Act (“PERA”), 19 Del.C. Chapter 13 (1994). AFSCME, by and through its affiliated Local 3911, represents a bargaining unit of New Castle County employees which includes numerous job classifications, including Paramedics.

2. New Castle County, Delaware (“County”) is a public employer within the meaning of 19 Del.C. §1302(p).

3. AFSCME Local 3911 and New Castle County are parties to a current collective bargaining which has a term of April 1, 2005 through March 31, 2008.

4. On or about August 22, 2007, AFSCME Local 3911 filed an unfair labor practice charge alleging that New Castle County violated 19 Del.C. §1307(a)(5) by

refusing to process and hear a grievance alleging the grievant “was not being compensated at full pay for the period of his disability” in violation of the terms of the parties’ collective bargaining agreement.

5. Prior to filing an Answer to the Charge by the County, the parties met to discuss the underlying issue.

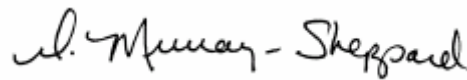
6. Following these discussions, New Castle County advised the Public Employment Relations Board that it would process the grievance in question.

7. By e-mail dated September 11, 2007, AFSCME requested to withdraw the charge as the underlying issue had been voluntarily resolved.

WHEREFORE, having resolved the underlying issue to the mutual satisfaction of the parties, the Charge is hereby dismissed.

IT IS SO ORDERED.

DATE: 18 September 2007



DEBORAH L. MURRAY-SHEPPARD
Hearing Officer
Del. Public Employment Relations Bd.